



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov



*C99*

RECEIVED  
DEC 30 2002  
TECH CENTER 1600/2900  
Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on June 24, 2002 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☒ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii). ←
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☒ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

*Marked up  
version  
New Underline*

Explanation: Claims 1, 2, 3, 4, 5, 8. Deleted Text.

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

*web. MPEP Manual of Patent Examining Procedure*  
*Patents* — *Marked up Version*

B. Gray  
Legal Instruments Examiner (LIE)

(Rev. 12/01)

*Gardner's Manual of Patent Procedure*  
*7K.22* → *Inf O.* *Bring delet* *underline new stuff.*

12.22-02

6P1615



Tyler Parr  
P.O. Box 371  
Chula Vista, CA 91912

**RECEIVED**  
DEC 30 2002  
TECH CENTER 1600/2900

RE: Patent Application # 09/835,501 ✓

TO: Mr. Robert M. Joynes

Mr. Joynes,

Please find enclosed a copy each of :

- original (unmarked)
- revised (unmarked)

~~Marked up version detailing the deletion[ ] and additions (underline)~~

I took to liberty to include markup of all changes between the the original and the revised documents, which was additional to your request for primarily the claims. I trust this will be accepted as good faith rather than disregard of your instructions.

Tyler Parr, Ph.D.